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United States Senate

COMMITTEE ON
ENERGY AND NATURAL RESOURCES

WASHINGTON, D.C. 20510

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March 23, 1983

President Ronald Reagan
 The White House
 Washington, D.C. 20500

Dear Mr. President:

As you know, I have been in the forefront of the opposition to the 1979 SALT II Treaty, which is unequal and therefore inconsistent with US law. In accordance with another law, I also led a successful Senate effort in September 1977 to prevent President Carter's extended or prolonged compliance with the expired SALT I Interim Offensive Agreement from hindering US strategic modernization programs. There remain significant Constitutional, legal, national security, and political problems with prolonged US unilateral compliance with a SALT II Treaty, which has not received the advice and consent of the Senate for Presidential ratification.

Since June 18, 1979, when SALT II was signed, both the US and the USSR have been obligated under traditional international law to do nothing which would "defeat the object and purpose" of the SALT II Treaty still unratified on both sides. US policy under both President Carter and yourself is that the US would do nothing to "undercut" SALT II, as long as the Soviets show "equal restraint." The US is complying precisely with all the provisions of the unratified SALT II Treaty, according to the Secretary of State's testimony and to recently declassified Defense Department directives. Without debating the wisdom of SALT II and without accepting the propriety of the US position that we will do nothing that would "undercut" the SALT II Treaty, it is recognized that the US is complying with SALT II. We at least have a right and an obligation to determine whether the Soviets are meeting the stated US criteria for that policy, i.e., that the Soviets show "equal restraint" and do nothing to "defeat the object and purpose" or to "undercut" SALT II. Whether or not the Soviets should be held to compliance with the precise provisions of SALT II, like the US, is disputable. But under any interpretation of Soviet obligations under SALT II, a Soviet violation of a fundamental provision of SALT II constraining new type ICBMs would both "undercut" and "defeat the object and purpose" of SALT II, and can not be regarded as restraint.

Mr. President, I respectfully ask you some important questions about Soviet compliance with their legal obligations under SALT II not to defeat its "object and purpose", because I strongly believe that the American people need to be told the straight truth about Soviet behavior.

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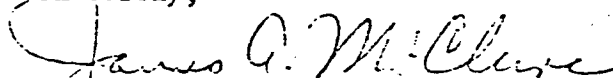
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Your prompt answers to these questions could have a significant bearing on several issues currently being debated in Congress; the nuclear weapons freeze resolution, the need for increased aid to El Salvador, overall US policy toward Cuba and Central America, the defense budget, US strategic modernization programs, and US arms control proposals. I hope you will be able to answer them as promptly as possible, in order to contribute your best judgements to the Congressional debate.

Sincerely,


James A. McClure
United States Senator